

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PAUL COX, individually and on behalf)	
of the classes defined herein,)	
)	
Plaintiff,)	
)	Case No. 08 C 105
v.)	
)	Judge Guzman
UNIFUND CCR PARTNERS;)	Magistrate Judge Ashman
CREDIT CARD RECEIVABLES)	
FUND, INC., and)	
ZB LIMITED PARTNERSHIP,)	
)	
Defendants.)	

**PLAINTIFF’S MOTION FOR AN EXTENSION OF TIME TO FILE A REPLY BRIEF
IN SUPPORT OF HIS MOTION FOR CLASS CERTIFICATION**

Plaintiff, Paul Cox, hereby requests that this Court enter an order extending the deadline for Plaintiff to file his reply brief in support of his motion for class certification.

In support of this motion, Plaintiff states as follows:

1. On February 25, 2008 Plaintiff filed a motion for certification of two classes.
2. Plaintiff first class (“Class A”) is defined as (a) all natural persons (b) with respect to whom defendant Unifund CCR Partners filed a lawsuit (c) attaching a document in the form represented by Appendix A (d) which document was not sent to the addressee prior to the filing of suit (e) where the lawsuit was filed or served during a period beginning on a date one year prior to the filing of this action and ending 20 days after the filing of this action.
3. Plaintiff issued written discovery on March 21, 2008.

4. On May 30, 2008 this court granted Defendants' second motion to modify the briefing schedule of Plaintiff's motion for class certification.

5. Defendants sought modification of the briefing schedule to allow them sufficient time to continue their investigation and information gathering regarding class related issues.

6. Pursuant to the Court's order of May 30, 2008 Plaintiff's deadline to file a reply brief in support of his motion for class certification is June 25, 2008.

7. Although Defendants have secured sufficient information to proceed with their response brief in opposition to Plaintiff's motion for class certification, Defendants still owe Plaintiff class related discovery responses that are essential to Plaintiff's reply brief.

8. For example, Defendants have not provided Plaintiff with information related to numerosity regarding "section (d)" of the class definition for Class A, which is an essential component to the class definition. Plaintiff will be filing a Motion to Compel to obtain this information.

9. Defendants have advised Plaintiff how many times a documents similar to Appendix A was attached to a collection complaint. However, Defendants have not provided any information regarding the number of instances a document similar to Appendix A was sent to putative class members prior to filing of a collection suit, or whether a document similar to Appendix A was ever in fact sent to putative debtors prior the filing of a collection action.

10. Defendants are still gathering information regarding section (d) of the class definition of Class A, and therefore must supplement their discovery responses.

11. Defendants have also agreed to supplement certain discovery responses

upon the entry of an adequate protective order.

12. On June 12, 2008 an order was entered by Judge Guzman denying without prejudice the parties joint motion for entry of a protective order.

13. The parties will file an amended motion for entry of a protective order in accordance with Judge Guzman's ruling no later than June 23, 2008.

14. Plaintiff respectfully requests an extension of time to file his reply brief as Defendant still has outstanding class related discovery responses due.

WHEREFORE, Plaintiff respectfully requests a 45 day extension to file his Reply brief in support of his motion for class certification.

Respectfully submitted,

s/Tiffany N. Hardy
Tiffany N. Hardy

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CERTIFICATE OF SERVICE

I, Tiffany N. Hardy, hereby certify that on June 18, 2008, the foregoing document was filed electronically. A copy of the foregoing document was served via the Court's ECF system on the following individuals:

Joseph P. Kincaid
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s/ Tiffany N. Hardy
Tiffany N. Hardy